



Kimley-Horn  
and Associates, Inc.

October 20, 2003

Mr. David McDevitt  
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Tallahassee, FL 32303  
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Suite 400  
601 21st Street  
Vero Beach, Florida  
32960

RE: Re-establishment of Vested Development Rights  
Gwyndale Planned Unit Development

Dear Mr. McDevitt:

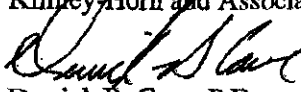
Pursuant to our previous discussions, we are submitting for consideration of re-establishment of vested development rights. Wal-Mart, the owner of the existing Sam's Club, has recently under taken construction of a new Sam's Club facility on Capital Circle at the intersection of Dick Wilson Boulevard. The anticipated opening for the new store is in September of 2004, and Wal-Mart would like to have the opportunity to provide new services at the current location. This cannot be done without the granting of the vested rights for the Gwyndale PUD.

Wal-Mart would like to have the opportunity to open a new store in the Monroe Street location, but was unaware, until recently, that the PUD had expired and the development rights had lost their vesting. It was our understanding that once a site was approved as a PUD, it is always a PUD, and that to redevelop would only require compliance with the original approvals. Wal-Mart would like to modify the PUD in order to provide services that are greatly needed in this area, but cannot without this vesting.

Once the re-establishment of vested development rights is approved, Wal-Mart will submit for a modification to the PUD. This will include a development that will meet or exceed the County's requirements regarding the preservation of significant and severe slopes as well as improving the current storm water management facility to meet all of the Lake Jackson Basin drainage requirements. We would like to do this in order to prevent having an existing store that has little or no use.

We thank you for your consideration regarding this matter, and would be glad to answer any questions or provide you with any additional information that you deem necessary in making this determination.

Sincerely,  
Kimley-Horn and Associates, Inc.

  
Derrick B. Cave, P.E.  
Sr. Project Manager

G W Y N N D A L E

PLANNED UNIT DEVELOPMENT

As Adopted by the Board of County Commissioners  
at Public Hearing on May 29, 1979

A Development of Mixed Use  
Consisting of a Shopping/Business Center  
and Area of Mixed Residential Use of Low-Medium Density

GWYNNDALE, INC

Kimley-Horn and Associates, Inc.  
Engineering • Land Surveying • Land Planning

Derrick B. Cave, P.E.  
Sr. Project Manager  
October 2003

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Urban Planner  
February 1979

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GWYNNDALE P.U.D.

LOCATION, SITE CONDITIONS

Figure 1 shows the location of the property in relation to elements of the thoroughfare system and to land use of the general neighborhood. Significant factors affecting future development are:

- Location on North Monroe Street (U.S. #27) within one-quarter mile of the east-west exit ramp of Interstate 10. North Monroe Street is a multi-lane facility providing direct access to regional shopping and the central area of the city.
- Location along the path of expansion of major concentration of shopping, restaurants, offices and business service establishments along North Monroe Street. Tallahassee Mall is located 1 ½ miles to the south, and strip commercial business of a noncontiguous nature has now advanced to the south side of the Interstate 10 interchange.
- Location along a thoroughfare that services a sizeable neighborhood, with considerable vacant land suited for residential development to accommodate future population growth.
- The site consists of approximately 44 acres with 1,700 feet of highway frontage. Approximately one half of the property (to a depth of about 500 feet from the highway) has gently sloping characteristics making it suitable for commercial development. Most of this part was recently cut of its timber and only small, sparse tree cover remains. About one-half of the property has considerable slope, and this part has very desirable tree cover. Along the northern boundary about 4 acres falls within a ravine that runs east-west, and another 4 acres falls in a ravine running north-south located in the east-central part of site. The ravines have numerous springs, said to be year-round in flow, that meander through deep cuts to feed the existing lake located at the northeast corner of the site.

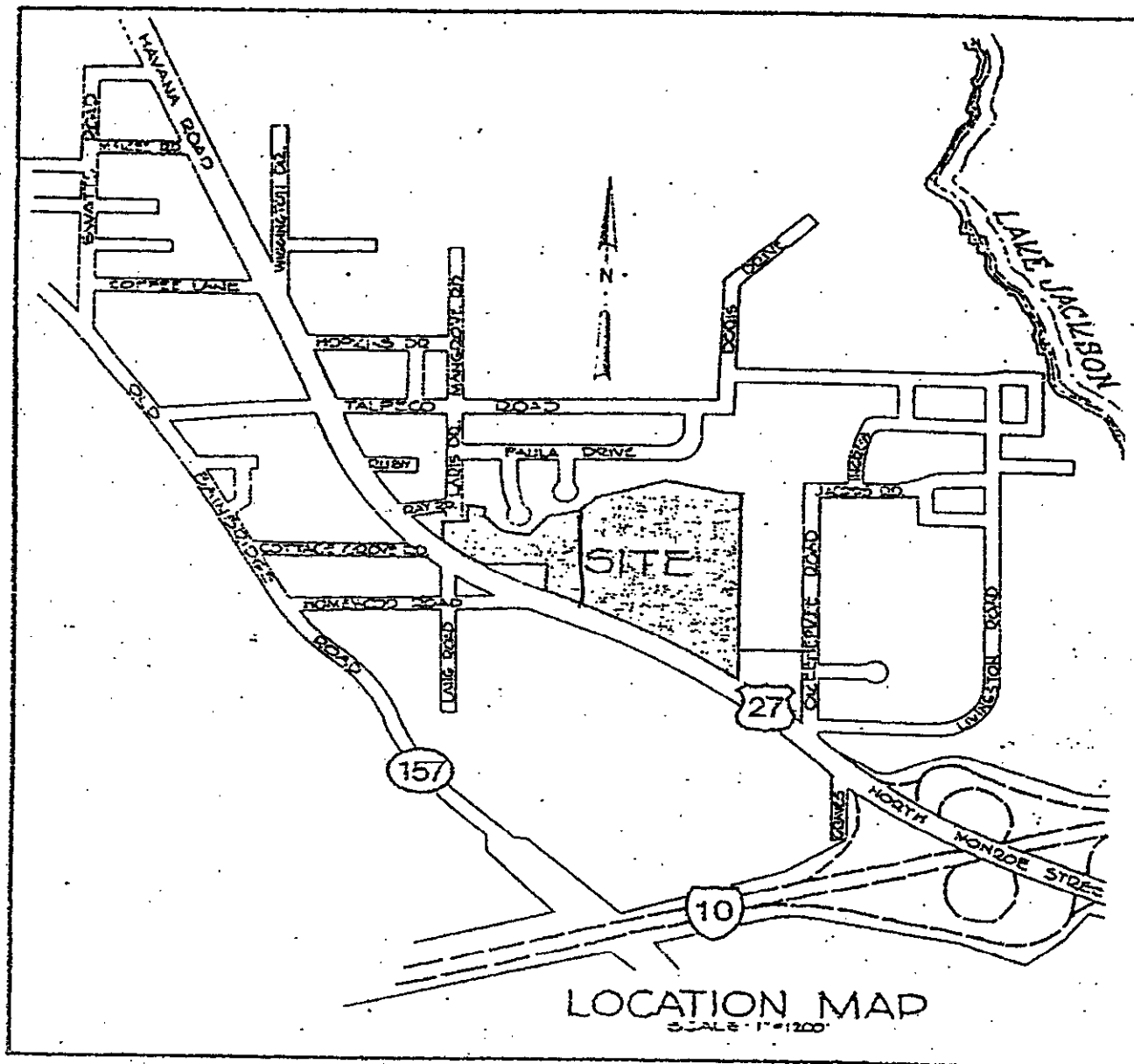


FIGURE 1

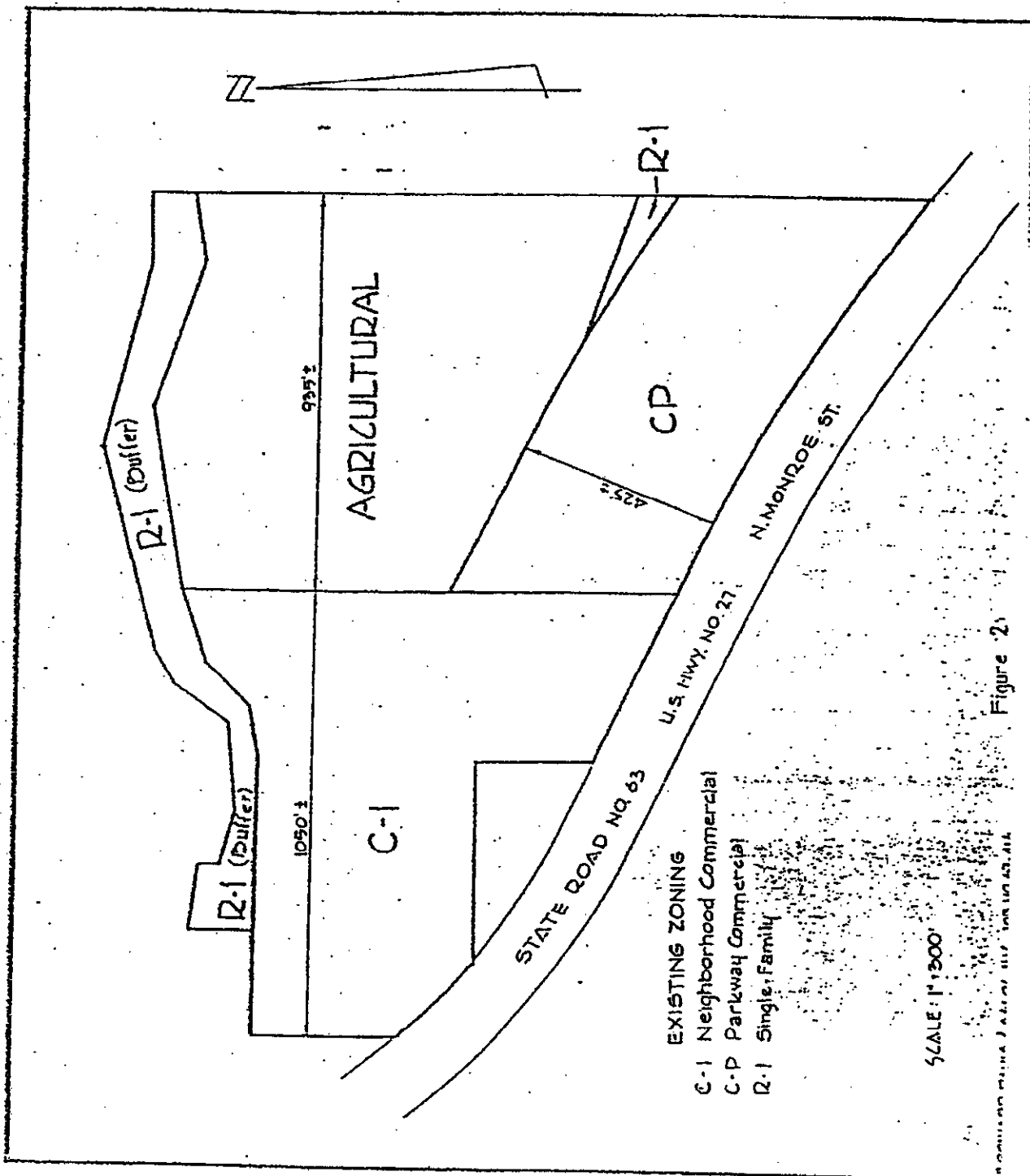


Figure 2

### Existing Zoning

Figure 2 shows the existing zoning of the site. Approximately 13.0 acres of the western half are suitably zoned C-1 Neighborhood Commercial, separated by a buffer of R 1 on the north. Another 9.9 acres are zoned CP Commercial Parkway. Approximately 13.6 acres are zoned Agricultural. The balance of about 3.4 acres is zoned R-1, most of which is included in a buffer adjacent to the Gwynndale Subdivision.

### Use Alternatives

In consideration of these factors several land use opportunities appear most feasible:

1. A neighborhood shopping center located north of Interstate 10 would appear to be well supported by an immediate neighborhood (the area between Lake Jackson and Old Bainbridge Road north of I-10 to Capital Circle intersection) with 1,500 dwelling units and a population of about 4,680. In addition, considerable population lying beyond the existing urban limits would find a shopping center in this location to be more accessible than existing choices. Altogether, the market area contains a minimum of 1,900 dwelling units accommodating a population of about 5,700.
2. Strip commercial uses of individual business sites of the type permitted in C-1, C-2, CP Zones, which is characteristic of the type of development that is well established along North Monroe Street frontage throughout the more urbanized area of Tallahassee.
3. Residential use of the balance of the land. Alternatives, considering the site's accessibility to the thoroughfare system, include a subdivision for duplex and quadraplex rental units, an apartment complex, of larger structures, and single-family attached dwellings (townhouses).

## CONSTRAINTS ON DESIGN

The use of a planned unit development procedure, instead of reliance on zoning to standard classifications, affords a greater measure of participation by design professionals, including members of the Technical Coordinating Committee, in establishing objectives, standards, and design alternatives to insure a greater degree of compatibility with objectives related to the public interest, such as:

- Limiting points of ingress and egress, thus insuring the efficient and safe functioning of the thoroughfare.
  - A proper relationship with adjacent properties.
  - Environmental protection, including runoff controls and preservation of important natural areas.
  - Community aesthetics. Flexibility in use and design alternatives is emphasized in the P.U.D. provisions of the zoning code.
1. Lake Jackson Basin: The property lies within the Lake Jackson Basin, an environmentally sensitive area which requires controls to maintain water quality of the lake. Objectives and means of performance are set forth in the section on storm water management.
  2. Limiting Access: The efficient and safe functioning of North Monroe Street, a multi-lane arterial thoroughfare, should be protected through limitations on the number and placement of points of ingress and egress, use of frontage roads, and other design constraints to limit the points of interference of traffic departing and entering the roadway for interactions with adjacent land use. See the section on the Internal Circulation Plan.
  3. Relationships with Adjacent Property: To the north of subject property lies the Gwynndale Subdivision for single-family homes. A ravine forms a natural barrier between the two areas, and preservation of a natural area/buffer along the northern boundary of subject property would emphasize the separation between areas of different land use characteristics.

4. Community Aesthetics: Much of the highway frontage of North Monroe Street is characterized by strip commercial development without adequate controls on signs. The P.U.D. procedure affords an opportunity to restrict garishness beyond the sign controls of the standard zoning classifications.

See the sections on Sign Controls, Landscaping Requirements, and Tree Planting Requirements.

## SUMMARY OF THE CONCEPT PLAN

Figure 2 identifies the land use components, with diagrammatic plan for internal circulation, points of ingress and egress, natural area preserves, and buffers. Filed under separate cover is a map in more detail, scale 1 inch equals 100 feet, showing areas and approximate dimensions.

Immediately following is a general description of important features. The detailed standards and objectives are set forth beginning on Page 14.

### Component A

Approximately 17 acres. are proposed for a retail business district, intended to serve primarily as a neighborhood service facility including grocery stores, shops, restaurants, service establishments-generally, uses of the type permitted in a C-1 Neighborhood Business District. (See Page 14 for a detailed list of uses and standards).

### Component B

Approximately 27.2 acres are proposed for a low-density residential area, not exceeding 8.1 units per net residential acre, allowing flexibility to meet market demand for duplexes, quadraplexes, single-family attached dwellings and garden apartments. A density of 8.1 units per net residential acre (average), for a total not to exceed 200 units, is proposed. (Sec Page 14 for a detailed list of uses).

### Component C

Approximately 1.8 acres are proposed for a dedication as a public street, with a 60 foot right of way, to setae Component B primarily. Some flexibility in design is requested possibly to extend this street on a loop through Component A also, connecting at entrance B with North Monroe Street.

Table A sets forth the Distribution of Land by Components and Use, and Table B sets forth the densities and acreage calculations for the several units of Component B, the residential district.

Table A  
DISTRIBUTION OF LAND BY COMPONENTS AND USE

		Acres	% of Total
Component A:	Business District	17.0	37.0
Component B:	Residential District	27.2	59.1
Component C:	Public Street R/W	<u>1.8</u>	<u>3.9</u>
	Total Area in Site	46.0	100.0
Buffers		4.0	8.7
Lake		.8	1.7
Parks, Landscaped Setback Areas		1.7	3.7
Natural Area Preserves		<u>5.7</u>	<u>12.8</u>
	Total Open Space	12.4	27.0

Table B

RESIDENTIAL DENSITY – COMPONENT B

<u>Unit</u>	<u>Net Build. Acres</u>	<u>Net Resid. Acres *</u>	<u>Maximum Units</u>	<u>Units/N.B.A</u>	<u>Units/N.R.A</u>
B-1	3.0	5.2	30	10.0	5.8
B-2	1.9	3.3	44	23.2	13.3
B-3	6.9	12.0	98	14.2	8.2
B-4	<u>2.4</u>	<u>4.2</u>	<u>28</u>	<u>11.7</u>	<u>6.7</u>
	14.2	24.7	200	14.1	8.1

- Net Residential Acres includes 10.5 acres of open space land located within Component B, which is pro-rated among the four areas. (However, 0.8 acres in the lake is excluded.)

### Internal Circulation

Three points of ingress and egress are proposed, to be located where existing breaks in the median of North Monroe Street occur. Commercial properties shall have restricted access with North Monroe Street (U.S. 27) via a marginal access street extended between two of the entrances (A and B).

Most of Component B, the residential district, shall be served by a separate entrance (C), with secondary access provided through the business district.

### Open Space

An extensive open space system is proposed, consisting of approximately 12.4 acres or 27 percent of the total site.

The open space system includes an extensive buffer along the northern boundary of the property, adjacent to the Gwynndale Subdivision, a landscaped setback area adjacent to Monroe Street, and a sizeable acreage devoted to natural area preservation.

Multiple use of some areas is proposed, including hiking trails and other recreational use, and storm water management facilities.

## PLANNED UNIT DEVELOPMENT PROCEDURES

The P.U.D. provisions of the zoning code provide for a two-stage process, with recognition of the need for flexibility:

1. Concept Plan approval. This stage of planning provides objectives and performance standards, along with a diagrammatic land use plan, where some degree of flexibility is allowed to meet changing market conditions and planning requirements based upon more detailed information determined at the design stage.
2. Final Development Plan approval: This stage provides specific design solutions, such as street alignment, storm water management facilities, and plans for off-street parking, building location, landscaping, trees to be protected, etc. After review and recommendation of the Technical Coordinating Committee, the Planning Commission may approve the Final Development Plan upon a finding that it is in compliance with standards, objectives, and commitments set forth in the Concept Plan.

All plans and analysis required for Final Development Plan approval (Section 7.7 of the P.U.D. provisions of the zoning code) may be submitted by stages for each component; however, for Component B all plans and requirements shall be submitted on areas not smaller than sub-components B-1, B-2, B-3, and B-4.

The site conditions map of Component B shall be prepared on a scale not smaller than fifty feet to the inch with a two-foot contour interval based upon a field survey on a fifty foot grid; said map and survey shall give careful attention to (1) location of abrupt changes in topography establishing the rim or edge of ravines, (2) delineation of areas with slopes exceeding ten percent, and (3) accurate location by type and size of specimen trees and others to be considered for preservation.

Notwithstanding the provisions of paragraph 2 of Section 7:5 of the code, no construction of roads and utility installations shall be permitted until approval of the Final Development Plan appropriate to the location of the road.

### Flexibility Procedures for Adjustment

Changes from the Concept Plan, in accordance with provisions cited above for approval to grant flexibility, may be authorized by the Planning Commission, after T.C.C. review of Final Development Plans. Said approval shall be granted only upon a finding that improved design, better environmental protection, and marketability of the property would be accomplished in a manner consistent with the objectives and Standards set forth in the Concept Plan. No changes in use or overall density may be approved except by amendment after public hearing in accordance with procedures for original adoption.

Some degree of flexibility is specifically requested concerning the following features of the Concept Plan:

- (a) Boundaries shown for the "Natural Area Preserve," principally the ravines, are not exactly located on the Concept Plan, but shall be designated on the Final Development Plan in accordance with a field survey. The effect of changes in boundaries will not serve to reduce total open space acreage but to afford better protection of environmental assets and buffering between adjacent land uses of dissimilar characteristics by determining on the ground the best definition of abrupt changes in topography. Such adjustments are intended to prevent any building in or over the ravines, and no construction shall be permitted to disturb the nature of the ravines except where specifically authorized in the Concept Plan, such as pedestrian paths, berets, swales, and other required storm water management facilities.
- (b) The dedicated public street, Component C is shown with a cul-de-sac as Alternative One, which is most favored at this time. In the event marketing of the commercial property permits splitting Component A into two units, it may be desirable to extend the street to connect with North Monroe Street at entrance B (Alternative Two).. See Figure 4.
- (c) In consideration of the need for market flexibility it is requested that the developer be authorized to make adjustments in the boundary and a reduction in area allocated to Component A, the business district, by adding to Component B, the residential district. Any such increase in Component B may be developed at a density not to exceed 8.1 units per net residential acre.

## STAGING OF DEVELOPMENT

### Component A:

It is anticipated that development would begin around 1980.

### Component B:

It is anticipated that development would begin after 1980.

The final development plan filed for each unit or component shall provide a schedule for land clearing that restricts the amount of land that may be exposed at a given time, taking into account percentage of total site area and slopes.

No public. or private street right of way shall be cleared prior to submission of final development plans for any component, and road clearing shall be staged to prevent an undue percentage of the total site being exposed to erosion at a given time.

## USES AND STANDARDS PROPOSED BY COMPONENTS

The following uses and standards, in detail, are proposed, and these standards shall govern each component in the design of the Final Development Plan.

### Component A

The general purpose of this district is to provide a restricted business district primarily intended to serve the surrounding neighborhood with retail shopping and business services while maintaining flexibility to market conditions by providing alternative uses for transient lodgings and restaurants related to tourist needs, and business and professional offices. In recognition of the need for design compatible with thoroughfare safety and efficiency and considerations of community aesthetics, the P.U.D. shall restrict access, provide for landscaped setbacks and sign controls.

1. Permitted uses include all retail stores included as a principal use in a C-1 District; retail furniture, appliances, and accessories; mortuaries; veterinarian hospitals in a completely enclosed structure; broadcasting studio, transient lodgings; restaurants and delicatessens, cocktail lounges and bars; indoor amusements, such as billiards, indoor theatres; financial institutions, including drive-in Facilities; business, professional and medical offices and services, including financial, insurance and real estate, offices for sale, lease or rental of business machines and office supplies; personal service establishments, including barber and beauty shops, massage, etc.; laundromats, and dry-cleaning establishments; repair services for several items; such as shoes, TV, radio, business machines, household, etc.; churches and schools; social, fraternal, and recreational clubs and lodges; and customary accessory uses clearly incidental to the foregoing.

2. Restricted uses include service stations without major mechanical repairs or vehicle rentals, and providing such stations are operated with safeguards to prevent oils and other pollutants being drained into the storm water system. Nursery and child-care facilities, provided such are separated from intensive commercial uses and located adjacent to the residential component and sited as a transitional use; advertising signs of uses on the premises, providing such signs conform to the standards and policy prescribed in Paragraph 10 below; bowling alleys providing the building is located not closer than 700 feet from the north property line of the P.U.D. property. No use identified in Paragraph 1 above may use outside storage of environmentally hazardous chemicals (fertilizers, weed control, insecticides and swimming pool chemicals.)
3. Minimum yard requirements: front, 25 feet; side, none except 25 feet on a side of a corner lot; rear, 20 feet.
4. Maximum building height: 35 feet.
5. Off-street parking shall be provided at the minimum standards of the zoning code.
6. Walkways: The Final Development Plan shall delineate a continuous system of walkways built to a minimum width of 42 inches linking all major elements of the district. Exception: free-standing buildings separated by large parking lots need not be connected to major clusters of buildings where parking aisles may function safely for this purpose.
7. Garbage and trash receptacles shall be located where necessary for efficient collection, but wherever feasible shall be sited in such a manner as not to be visually prominent. The Final Development Plan shall specify standards for screens and landscaping to this general purpose.
8. Exterior building materials: Wood, masonry, curtain wall construction or combinations. Concrete block finishes and corrugated metal, except for minor trim, are prohibited.

9. Tree protection and landscaping: Along the highway frontage a landscaping strip is reserved, not less than 30 feet in minimum width, and there shall be planted trees and shrubs to comply with minimum standards of the ordinances on landscaping and tree protection. Said area may also be designed for additional use for storm water retention of the "first quarter inch" to promote water quality.
10. Sign Controls: Signs shall be limited to those advertising uses of the premises and real estate sale and leasing signs of a temporary nature. All signs shall be set back a minimum of 50 feet from the right of way of Monroe Street and 15 feet from any other public street, excepting one sign not exceeding 200 square feet in area identifying a shopping center, office center, or business district of multiple uses may be permitted within the landscaped setback area not less than 15 feet from the right of way of Monroe Street.

Further sign controls shall be submitted with the Final Development Plan to conform to the Following policy on restricting size, number and garishness of on-site signs:

It is the general purpose to provide one prominent ground sign identifying any business center occupying all or a portion of this component, and signs for individual business establishments shall be restricted in size, design, and placement to conform to an overall design theme for the center.

Out parcels or individual lots in separate ownership may have additional ground signs, providing same are restricted in size in ratio to highway frontage and placement that is subordinate to the major sign identifying the center. No flashing signs and no roof signs are permitted.

Traffic directional signs, as approved by the T.C.C. may be exempted from setback requirements.

11. Storm Water Management: On-site water retention/detention facilities shall be designed to promote canter quality and ground water recharge by retaining on-site the "first quarter inch" of water leaving parking and street surfaces.

## Component B

The general purpose of this district is to provide a low-medium density residential district not exceeding 10 units per net residential acre, encouraging alternative housing types to meet changing market conditions while promoting cluster design technique in order to reserve useable open space of recreational, environmental and aesthetic value including storm water management.

1. Permitted uses include single-family detached; duplexes, triplexes, and quadrplexes; mufti-family apartments not exceeding eight units per structure; single-family attached homes (townhouses) not exceeding eight units per cluster; churches; kindergartens and child-care nurseries; public and private parks, playgrounds, and clubs designed for the use primarily of residents of the development.
2. Accessory uses include coin-operated laundries, recreational buildings, as well as customary uses and structures clearly incidental to one or more of the permitted uses. Recreational and community buildings shall be located not closer than 200 feet to the north property line of the P.U.D.
3. Minimum yard requirements: Front, 15 feet; rear, 15 feet without any above surface structures such as decks; side, any combination of both sides that equals 15 feet between adjacent buildings, and not less than 15 feet on the street side of a corner lot.
4. Maximum building height: A floor area ratio of 1:4 shall control maximum height, with the objective of promoting greater setbacks from environmentally sensitive areas and reducing lot coverage of impervious surfaces. For any building exceeding 35 feet in height for each additional foot of height there should be one additional foot of setback from any adjacent residential district.
5. Off-street parking:
  - a. Not less than 2 spaces per dwelling unit for single-family attached, duplexes, and single-family detached dwellings.
  - b. Not less than 1 space per 100 sq. ft. of assembly area in churches and 1 space par 200 sq.ft. of gross floor area in clubs.

- c. Not less than 1 space per unit in apartments, with an average of 1 space per 500 sq.ft. in gross floor area in an apartment complex; however, the final development plan may provide for not more than 1½ spaces per unit to be paved, with the remainder to be provided in grassed or porous surface areas designed to provide for irregular or peak demand for overflow parking.
6. Exterior building materials: Wood, masonry, curtain wall construction or combinations. Exposed concrete block, where used, must be combined with not less than 25 percent wood finishes.
7. Tree protection and landscaping: Existing trees, especially in buffers, parks, water management areas, and required open space areas shall be preserved whenever practical. Trees shall be planted wherever existing tree cover is sparse, and in all cases the minimum standards of the tree protection and landscaping ordinances shall apply.
8. Open space and recreational use: A minimum of 20 percent of the net residential area shall be preserved for open space and recreational facilities with no area credited to this requirement that is less than 12,000 sq.ft. of a useable, compact shape; continuous strips may be credited where they are included in designs for bikeways and hiking/jogging paths. Overflow parking areas required to meet minimum parking standards, as discussed in Paragraph 5 above, may not be credited.
9. Sidewalks: For areas within this component exceeding a density 5.0 units per net residential acre a continuous system of sidewalks paved to not less than 42 inches in width, shall be developed on one side of the street.
10. Garbage and trash receptacles shall be located as necessary for collection, but whenever feasible will be sited in such a manner as not to be visually prominent. The Final Development Plan shall. specify standards for screens and landscaping to comply with this general purpose.

11. Variable Density: Density may vary among the several units of Component B in accordance with the following restrictions:

- a. The schedule shown on the Concept Plan Map (included herein as Table B) shall govern maximum densities (either for "Net Residential Acre" or "Net Buildable Acre", and these densities may vary within any subcomponent providing the average density does not exceed the maximum established in Table B.
- b. Areas with slopes exceeding 10 percent shall be restricted in coverage of the building lot with impervious surfaces not to exceed 27 percent. The purpose is to restrict density in these areas not to exceed the average or overall density limits established for each of the four subcomponents, as cited in Table B, to promote additional open space and setback from the ravines where building lots abut the ravines, and elsewhere to provide additional open space reservations useable for parks, recreation, storm water management and tree preservation.

It is the intent to encourage cluster techniques in lot design in order to preserve sizeable sites in open space; therefore, no minimum individual lot sizes, widths, and depths nor maximum lot coverages are specified; and each unit of development within this component may be credited with a pro-rata share of common open space in computing net residential acreage.

12. Definitions: The definitions of the zoning code apply, with exception of the following terms:

- a. Net Residential Acre: An acre of land containing 43,560 sq.ft. excluding right of way in public street or equivalent area in a private street (minimum easement of 30 feet assumed) and areas designated for off-street parking requirements; but including all common areas designated for park or recreational use, buffers, natural preservation areas, and storm water management areas. Such common areas so credited may be apportioned amount the several development units in proportion to the area in each when calculating the number of units derived by the density standard authorized for this component.
- b. Net Buildable Acre: An acre of land excluding street right of way or easement and all common open space identified on the Concept Plan. In Final Development Plans additional common area may be designated within any subcomponent and credited for calculation of units per net buildable acre (as well as units per net residential acre.)
- c. Building Lot: A parcel of land of sufficient size to comply with standards for lot area, yard, off-street. parking, percentage of impervious surface calculations, and floor area ratio requirements. Except for area required to maintain minimum yard setback requirements a portion of each building lot may be designated by easement or dedication as common area as an addition to common area committed in the Concept Plan.

- d. **Impervious surfaces:** A surface having no significant water absorption qualities, such as roofs and pavement in driveways, parking lots, sidewalks, and streets. However, for the purpose of promoting storm water retention and water quality treatment, porous parking, driveway, and sidewalk surfaces shall not be counted as impervious surfaces when combined with on-site storm water percolation devices that will retain and treat the-runoff falling on said surfaces.

## THE OPEN SPACE PLAN

Some 12.4 acres (approximately 27 percent of the total area) shall be preserved in common open space for buffers, storm water management areas, and parks. Additional, smaller open space areas may be provided within development units of both Components A and B, particularly in the latter.

### Buffers

Along the northern boundary of the property in area adjacent to Gwynndale Subdivision, a buffer not less than 70 feet in width shall be preserved in a natural state; much of this area is contained within a ravine. This buffer shall not be used for holding ponds, but other storm water detention devices, such as swales and berets are permitted. Existing trees are to be protected within the buffer.

A buffer of 10 to 20 feet, as shown in the Concept Plan Map, shall be established to separate the residential properties of Component B from the commercial uses of Component A.

### Parks, Natural Area Preserve

Within the 5.7 acres designated for a Natural Area Preserve, park and recreational sites map be established.. An entrance park, consisting of about 0.6 acre shall be established at the major entrance from Monroe Street into Component B.

A landscaped setback area not less than 30 feet shall be maintained along the Monroe Street frontage of Component A.

## PLAN FOR UTILITIES

Sanitary sewers and water supply will be extended to the property; as shown on a Map of Site Conditions (Sheet 7 filed under Separate Cover), City facilities are available near the property:

Sanitary Sewers: A manhole is located at Homewood Road and U.S. No. 27. A pumping station may be required on the property.

Water: The nearest water main, an eight-inch line, is located at Homewood Road and Old Bainbridge Road.

## STORM WATER MANAGEMENT

The property is located within the Lake Jackson Drainage Basin, an environmentally sensitive area that is the focus of state and local policy for maintenance of water quality. In recognition of the public interest in preserving this recreational resource, the following objectives are set forth with the intent of exceeding existing standards of local government runoff control ordinances.

Objective 1: To provide adequate siltation control devices to retain storm water equivalent of 25 year storm of critical duration, allowing the metering out of water after major sediments have been dropped on site.

Means of accomplishing this objective include commitment to comply with all standards of the existing runoff control ordinance (Ord. 73-10) and to provide an extensive storm water management area, where vegetation is left in its natural state for slowing down the flow of water, allowing silts to be dropped.

Objective 2: To provide point source controls to insure a higher standard of water quality than is permissible under prevailing development practices as constrained by existing ordinances.

### Determination of Performance

When Final Development Plans are submitted for approval, the T.C.C. with advice of the Department of Environmental Services, shall review plans for specific solutions and recommend approval/denial to the Planning Commission based upon these findings and a determination of adequate performance in promoting the objectives cited above in balance with protection of environmentally sensitive areas and features, such as ravines and the lake.

### Means of Performance

The means of performance cited above are intended to represent examples based upon existing ordinances and practices believed to be effective. Flexibility is requested where other techniques may, in the future, be tested to insure comparable or improved levels of performance.

The state-of-the-art of storm water management is increasing constantly. We are, therefore, reluctant to outline specific measures considered for this project. Following are listed measures being considered, but flexibility is requested to change, with County approval, if more effective techniques become available.

Construction draining into environmentally sensitive areas require special attention. These areas include both the intermediate drainage system (ravines and lake on site) and the ultimate destination (Lake Jackson). A "defense-in-depth" approach is planned, as follows:

#### Component A

1. Percolation facilities in the green areas. These will collect and percolate the first one-quarter inch of runoff falling on the vehicular use areas.
2. Quantitative controls in Component A will be designed so that erosion downstream can be minimized, and storm water will leave Component A at a slower rate than currently.

#### Component B

3. Minimum clearing and grading will be allowed in Component B. Roads and parking areas are proposed to be kept to the minimum size needed. The requirements for impervious parking surfaces may be held to a minimum by providing, where practical, grassed and other porous surfaces for handling parking overflow of peak periods.

#### General

Design of buffers and use of landscaped areas within each component shall consider the use of grassed swales and berets to slow or retain runoff from paved surfaces, allowing for filtering of nutrients and oil pollutants. Where slopes exceed five percent, stabilized water passages to water detention facilities will be used to prevent erosion.

Stabilized water control devices shall be constructed to prevent stogy water from flowing from areas altered by construction directly into the ravine. Said devices shall provide for flow through required detention facilities, then via stabilized passages to the streams, beds.

## INTERNAL CIRCULATION PLAN

Three points of ingress and egress are proposed, which are intended to be located where existing breaks in the median of North Monroe Street occur.

The business district (Component A) shall be served mainly by the middle access point, entrance B, with secondary access at entrance A. A landscaped setback strip of 30 feet will be established across the frontage, adjacent to the right of way of Monroe Street (on private property). Adjacent to this, a marginal access or service street will be designed to distribute traffic to the parking lots and to individual business sites in order to prevent unrestricted ingress and egress into North Monroe Street. This service street, on a 24-foot roadway exclusive of parking, shall be designed for two-way flow between A and B, with access also into Component B. It is intended as a private street internal to the development of the shopping/business center; however, flexibility is requested to permit dedication on a public right of way (30 foot minimum) if determined to be desirable at time of Final Development Plan application for the purpose of permitting access to lots in separate ownership. Under either alternative.....

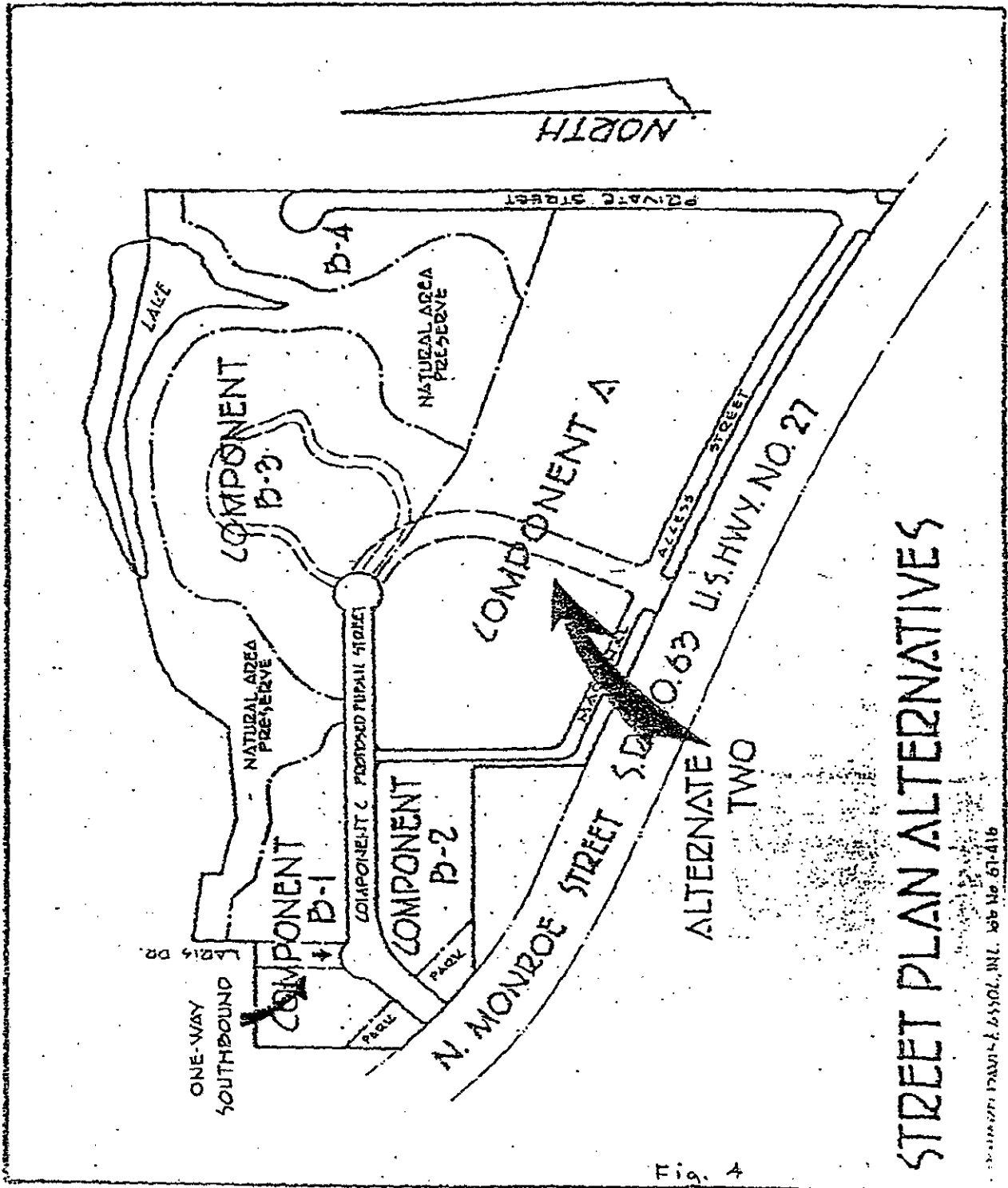
The residential district (Component B) shall be served mainly by a public street, with entrance C, on a right of way of 60-foot and a 24-foot roadway without on-street parking or curb and gutter section. Secondary access is provided through the business district (Component A).

Flexibility is requested, as cited on Page 12, for design of the public street under two alternatives, as indicated in Figure 4. Most favored at this time is use of a cul-de-sac (Alternative One). However, marketing of the commercial property may permit splitting Component A into two units, and it may then be more desirable to extend the street to connect with North Monroe Street at entrance B, identified on Figure 4 as Alternative Two.

Three stubs for access to other land use areas are proposed for consideration in Final Development Plans:

- a. Access to adjacent property on the eastern side, particularly the property fronting on Monroe Street.
- b. Access into Component A on both the eastern and western sides for convenience of residents to get to shopping facilities without necessity of entering Monroe Street.
- c. Connection with Laris Drive, using a pedestrian/bicycle path for convenience of residents of the adjacent Gwynndale Subdivision.

Cul-de-sacs shall be designed to county standards with a 35 foot radius.  
See Page 9 regarding comments on flexibility of design of the proposed public street, Component C.





**Leon County Board of County Commissioners**  
**Department of Growth and Environmental Management**

**APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT**

**I. OWNERSHIP**

I, Robert M. Bedard, hereby attest to ownership of the property described below.

Parcel I.D. Number(s): 21-15-15-501-0001

Location Address for which this Application is Submitted:

3221 North Monroe Street, Tallahassee, FL 32303

The ownership, as recorded on the deed, is in the name of:

Sam's East, Inc.

Please complete the appropriate section below:

☐ Individual

☐ Corporation

☐ Partnership

Dept. of State Registration No.: \_\_\_\_\_

☐ Government Entity

(Provide name of official or employee authorized to sign)

Name/Address of Registered Agent:  
(in FL Dept. of State Records)

**II. DESIGNATION OF APPLICANT'S AGENT (Leave blank if not applicable)**

As the owner of the above-designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named below to represent me or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

Applicant's Agent: Kimley-Horn and Associates, Inc.

Address: 601 21st Street, Suite 400 Vero Beach, FL 32960

Contact Person: Derrick B. Cave, PE Telephone No.: (772) 794-4094

**III. NOTICE TO OWNER**

A. All changes in Ownership and Applicant's Agent prior to issuance shall require a new affidavit. If ownership changes, the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.

B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., limited to obtaining a Certificate of Concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

C. As the owner of the designated property, I authorize Leon County employees or any duly authorized agent legal access to the subject property for purposes of determining compliance with Leon County land use, environmental and building regulations.

**Leon County Board of County Commissioners**  
**Department of Growth and Environmental Management**

**APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT (Cont'd)**

**IV. ACKNOWLEDGMENT**

☐ Individual

☐ Corporation

☐ Partnership

SAVVIS EAST, INC.

Print Corporation Name

Name of Partnership

By: Robert M. Bedard

(Signature)

(Signature)

Print Name: Robert M. Bedard

Print Name:

Address: 2001 SE 100th Dr  
Bentonville, AR 72716-0550

Address:

Telephone No: 479-273-8868

Telephone No:

(Signature)  
Print Name:

Address:

Telephone No:

Please use appropriate notary block:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

☐ Individual

☒ Corporation

☐ Partnership

Before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_ who executed the forgoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

Before me, this 20 day of October, 2008, personally appeared Robert M. Bedard of SAVVIS EAST, INC. corporation, on behalf of the state corporation, who executed the foregoing Instrument and acknowledged before me that same was executed for the purposes therein expressed.

Before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_ partner/agent on behalf of \_\_\_\_\_ partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

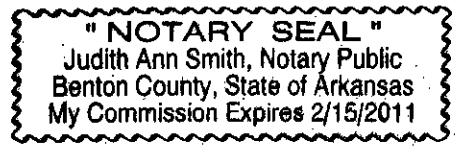
Notary Public:

Judith Ann Smith

Print Name: JUDITH ANN SMITH

My Commission Expires: 2/15/2011

Personally known as \_\_\_\_\_; or  
Produced identification \_\_\_\_\_  
Type of identification produced: \_\_\_\_\_



James M. Hankins, P.A.  
Partner  
Direct Dial: 561.862.4132  
Direct Facsimile: 561.862.4962  
jhankins@hodgsonruss.com

October 20, 2003

**Federal Express**

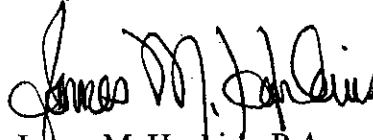
Derrick B. Cave, PE  
Senior Project Manager  
Kimley-Horn and Associates, Inc.  
1820 E. Park Ave.  
Suite 100  
Tallahassee, FL 32301

Dear Mr. Cave:

Re: Affidavit of Ownership and Designation of Agent  
Parcel No. 21-15-51-440-107-5  
Legal Desc.: PLANTATION OF TALLAHASSEE PECAN CO., 15 1N 1W 20.67 A;  
VARIOUS PECAN LOTS; CASE 82-1552; OR 1289/1381 1322/1469 1957/1162  
Our File No. 39796.0000

Enclosed herewith is the original of the Applicant's Affidavit of Ownership & Designation of Agent which has been executed by Mrs. Hastings.

Very truly yours,



James M. Hankins, P.A.  
Partner

JMH/jw  
Enclosure

cc: Nancy G. Linnan, Esquire

FLADOCS 159285v1 (3#WL011.DOC)

40



**Leon County Board of County Commissioners  
Department of Growth and Environmental Management**

Attachment # 3  
Page 32 of 61

**APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT**

**I. OWNERSHIP**

I, Doris Hastings, hereby attest to ownership of the property described below.

Parcel ID Number(s): 21-15-51-44-01-075

**Property Description:**

Location Address for which this Application is Submitted: Parcel Number: 21-15-51-440-107-5

Legal Description: PLANTATION OF TALLAHASSEE PECAN CO.

15 1N 1W 20.67 A; VARIOUS PECAN LOTS; CASE 82-1552;

OR 1289/1381 1322/1469 1957/1162

The ownership, as recorded on the deed, is in the name of

Lawrence V. Hastings and Doris Hastings

Please complete the appropriate section below:

☒ Individual

☐ Corporation

☐ Partnership

Dept. of State Registration No.:

☐ Government Entity

(Provide name of official or employee authorized to sign)

Name/Address of Registered Agent:  
(in FL Dept. of State Records)

**II. DESIGNATION OF APPLICANT'S AGENT (Leave blank if not applicable)**

As the owner of the above-designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named below to represent me or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

Applicant's Agent: Kimley-Horn and Associates, Inc.

Address: 601 21st Street, Suite 400 Vero Beach, FL 32960

Contact Person: Derrick B. Cave, PE Telephone No.: (772) 794-4094

**III. NOTICE TO OWNER**

A. All changes in Ownership and Applicant's Agent prior to issuance shall require a new affidavit. If ownership changes, the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.

B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., limited to obtaining a Certificate of Concurrence for the parcel; limited to obtaining a land use compliance certificate; etc.)

Application for Re-granting of Vested Rights and conceptual plan  
submission on which the application will be based.

C. As the owner of the designated property, I authorize Leon County employees or any duly authorized agent legal access to the subject property for purposes of determining compliance with Leon County land use, environmental and building regulations.

**Leon County Board of County Commissioners**  
**Department of Growth and Environmental Management**

**APPLICANT'S AFFIDAVIT OF OWNERSHIP & DESIGNATION OF AGENT (Cont'd)**

**IV. ACKNOWLEDGMENT**

☒ Individual

☐ Corporation

☐ Partnership

Doris Hastings  
 (Signature)

Print

Name: Doris Hastings

Address: 44 Coconut Row  
Palm Beach, FL 33480

Telephone No: (561) 835-4144

Print Corporation Name

By:

(Signature)

Print

Name:

Address:

Telephone No:

Name of Partnership

(Signature)

Print

Name:

Address:

Telephone No:

Please use appropriate notary block:

STATE OF FLORIDA  
 COUNTY OF PALM BEACH

☒ Individual

☐ Corporation

☐ Partnership

Before me, this 20th day of  
October, 2003, personally  
 appeared Doris Hastings  
 who executed the foregoing instrument,  
 and acknowledged before me that same  
 was executed for the purposes therein  
 expressed.

Before me, this \_\_\_\_\_ day of  
 \_\_\_\_\_, 20\_\_\_\_, personally  
 appeared \_\_\_\_\_  
 of \_\_\_\_\_  
 corporation, on behalf of the state  
 corporation, who executed the foregoing  
 instrument and acknowledged before me  
 that same was executed for the purposes  
 therein expressed.

Before me, this \_\_\_\_\_ day of  
 \_\_\_\_\_, 20\_\_\_\_, personally  
 appeared \_\_\_\_\_  
 partner/agent on behalf of \_\_\_\_\_  
 partnership, who executed the fore-  
 going instrument and acknowledged  
 before me that same was executed  
 for the purposes therein expressed.

State of Florida  
 County of Palm Beach

Notary Public

Sara L. Davis

Print Name: Sara L. Davis

My Commission Expires: \_\_\_\_\_



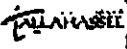

Personally known as Doris Hastings  
 Produced identification \_\_\_\_\_  
 Type of identification produced: \_\_\_\_\_



Leon County  
Taxing Authorities**NOTICE OF PROPOSED PROPERTY TAXES  
AND PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS**  
**DO NOT PAY - THIS IS NOT A BILL**

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year. The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION. Each taxing authority may AMEND OR ALTER its proposals at the hearing.

If you feel that the market value of your property is inaccurate or does not reflect fair market value, contact your county Property Appraiser at (850)488-6102. If the Property Appraiser's office is unable to resolve the matter as to market value, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the County Property Appraiser and must be filed ON OR BEFORE 5:00 P.M. SEPTEMBER 12, 2003.

Taxing Authority	Your Property Taxes Last Year	Your Taxes This Year IF PROPOSED Budget Change is Made	A Public Hearing on the Proposed Taxes and Budget Will be Held:	Your Taxes This Year IF NO Budget Change is Made
County	\$663.51	\$662.74		\$636.94
 MSTU - Fire	\$99.99	\$0.00	Sept. 16, 2003 at 6 p.m. 301 S. Monroe St. Commission Chambers Tallahassee, FL 488-9775	\$94.67
MSTU - EMS	\$0.00	\$38.76		\$0.00
MSTU - Health	\$4.65	\$9.30		\$4.46
 Public Schools By State Law By Local Board	\$460.65 \$308.28	\$445.00 \$207.42	Sept. 9, 2003 at 6 p.m. City Hall 300 S. Adams St. 2nd Floor Tallahassee, FL 487-7100	\$450.82 \$199.91
 City D. I. A.	\$0.00 \$0.00	\$0.00 \$0.00	Sept. 10, 2003 at 6 p.m. City Hall 300 S. Adams St. 2nd Floor Tallahassee, FL 891-8181	\$0.00 \$0.00
 Water Management District	\$3.88	\$3.88	Sept. 17, 2003 at 5:05 p.m. CDT City Hall 71 US Hwy 90 West DeFuniak Springs, FL 539-5999	\$3.60
Voter Approved Debt Payments	\$66.97	\$62.55	School Road	\$62.55
Total Property Taxes	\$1,516.93 COLUMN 1	\$1,439.65 COLUMN 2		\$1,452.95 COLUMN 3

Your Property Value as of January 1		
	Last Year	This Year
Market Value:	\$77,513.00	\$77,513.00
Assessed Value:	\$77,513.00	\$77,513.00
Exemptions:	\$0.00	\$0.00
Taxable Value:	\$77,513.00	\$77,513.00

**EXPLANATION: (s. 200.069, Florida Statutes)**

**COLUMN 1** This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your previous taxable value.

**COLUMN 2** This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearings shown above.

**COLUMN 3** This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT INCREASE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.

**ASSESSED VALUE** means: For homestead property: value as limited by the State Constitution; For agricultural and similarly assessed property: classified use value; For all other property: market value.

**Note:** Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.)

**Note:** Non-ad valorem assessments are placed on this notice at the request of the respective local governing boards. Your tax collector will be including them on the November tax notice. For details on particular non-ad valorem assessments, contact the levying local governing board. Your final tax bill may contain additional non-ad valorem assessments which may not be reflected on this notice such as assessments for roads, drainage, garbage, fire, lighting, water, sewer, or other governmental services and facilities which may be levied by your County, City, or any Special District.

**Property Description**

Parcel Number: 21-15-51-440-107-5

**Legal Description**

**COPY**  
PLANTATION OF TALLAHASSEE PECAN CO  
15 IN 1W 30.67 A  
VARIOUS PECAN LOTS  
CASE 82-1552  
OR 1289/1381 1332/1469 1957/1162

HASTINGS LAWRENCE V & HASTINGS DORIS  
44 COCOANUT ROW  
B 612  
PALM BEACH FL 33480

# **G W Y N N D A L E**

## **PLANNED UNIT DEVELOPMENT MODIFICATION**

A Development of Mixed Use  
Consisting of a Shopping/Business Center  
and Area of Mixed Residential Use of Low-Medium Density

WAL-MART STORES EAST, L.P.

Prepared by  
Kimley-Horn and Associates, Inc.  
Engineering • Land Surveying • Land Planning

Derrick B. Cave, P.E.  
Senior Project Manager  
October 2003



Kimley-Horn  
and Associates, Inc.

**G W Y N N D A L E**

**PLANNED UNIT DEVELOPMENT MODIFICATION**

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October 2003

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LOCATION, SITE CONDITIONS	1
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STORM WATER MANAGEMENT	22
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## GWYNNDALE P.U.D.

### LOCATION, SITE CONDITIONS

Figure 1 shows the location of the property in relation to elements of the thoroughfare system and to land use of the general neighborhood. Significant factors affecting future development are:

- Location on North Monroe Street (U.S. #27) within one-quarter mile of the east-west exit ramp of Interstate 10. North Monroe Street is a multi-lane facility providing direct access to regional shopping and the central area of the city.
- Location along the path of expansion of major concentration of shopping, restaurants, offices and business service establishments along North Monroe Street. Tallahassee Mall is located 1 ½ miles to the south, and strip commercial business of a noncontiguous nature has now advanced to the south side of the Interstate 10 interchange.
- Location along a thoroughfare that services a sizeable neighborhood, with considerable vacant land suited for residential development to accommodate future population growth.
- The site consists of approximately 35.34± acres with 1,700 feet of highway frontage. Approximately one half of the property (to a depth of about 500 feet from the highway) has gently sloping characteristics making it suitable for commercial development. An existing Sam's Club, (Store No. 8120-02) is located on approximately 14.7 acres with the remaining property being undeveloped. About one-half of the property has considerable slope, and this part has very desirable tree cover. Along the northern boundary about 4 acres falls within a ravine that runs east-west, and another 4 acres falls in a ravine running north-south located in the east-central part of site. The ravines have numerous springs, said to be year-round in flow, that meander through deep cuts to feed the existing lake located at the northeast corner of the site.

Figure 2 shows the existing zoning of the site, is LP or Lake Protection.

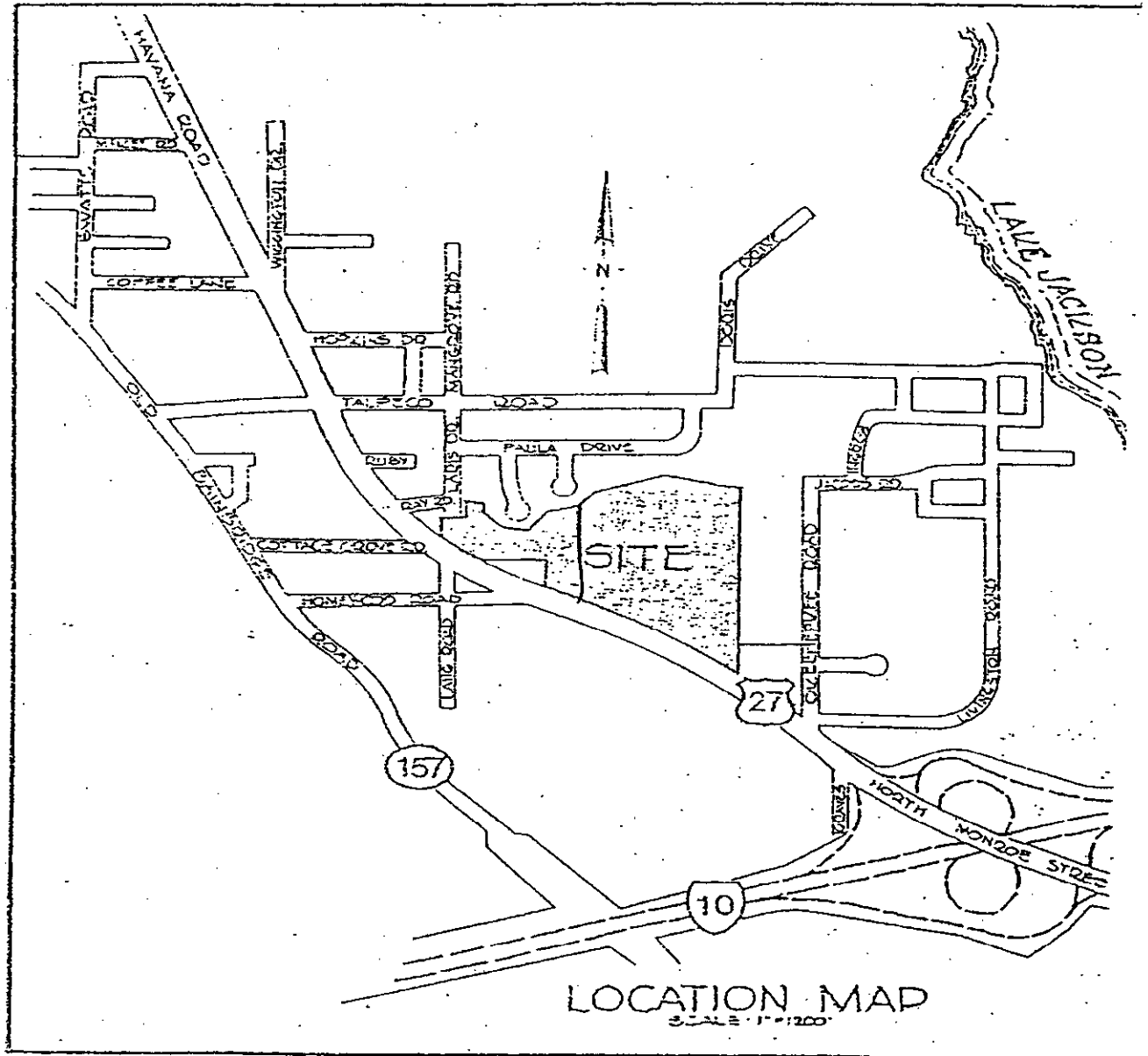


FIGURE 1

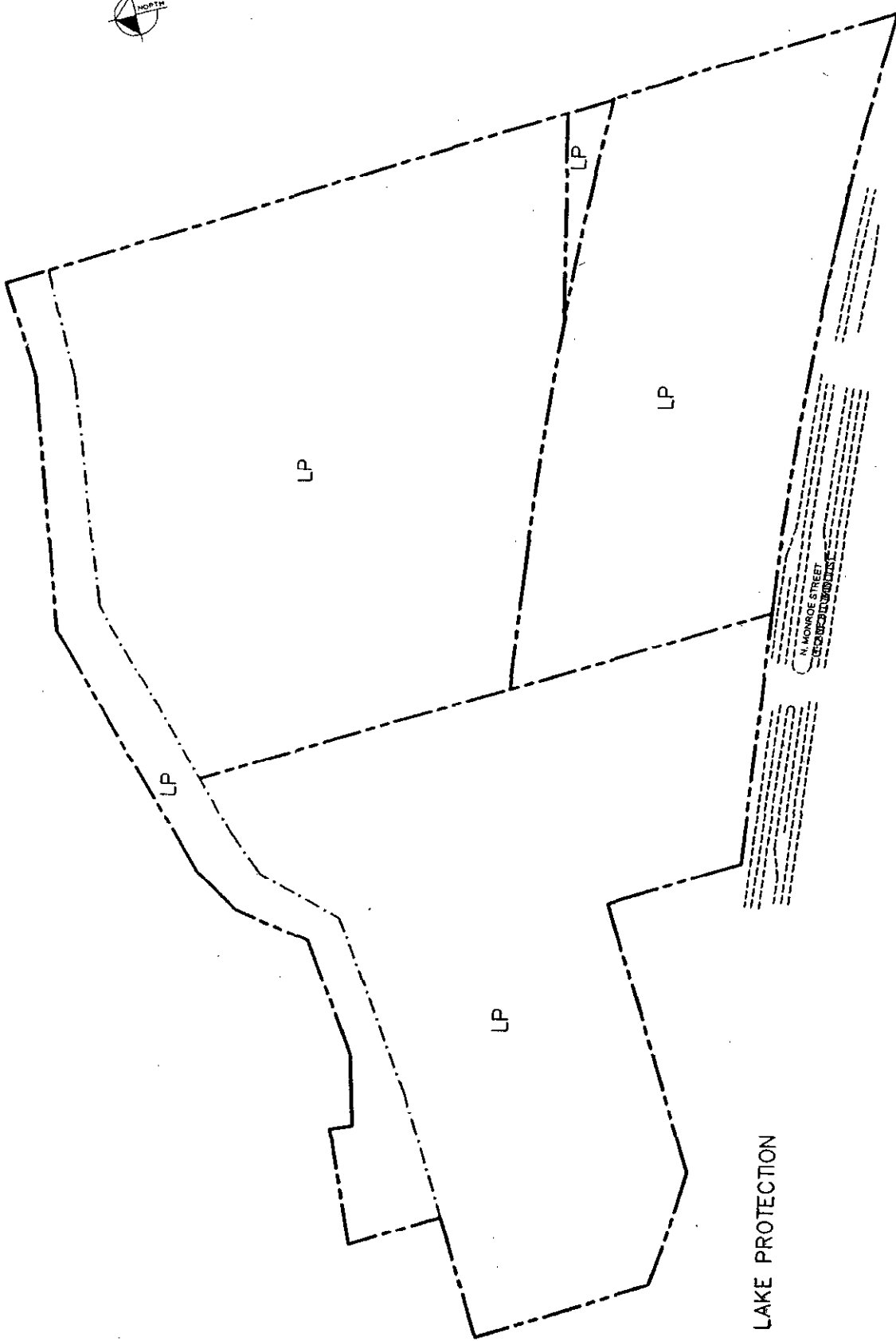


FIGURE 2

WAL-MART, TALLAHASSEE, FLORIDA  
 STORE #94762-00, C-173-SGL-OL, NEW SC  
 8120 SAM'S DEMO SITE  
 LEON COUNTY FLORIDA

DATE  
 10/23/03  
 PROJECT NO.  
 017233348.3

KIMLEY-HORN  
 AND ASSOCIATES, INC.  
 10101 W. BOULEVARD, SUITE 200  
 FORT WORTH, TEXAS 76155  
 TEL (817) 362-1000  
 FAX (817) 362-1000  
 WWW.KIMLEY-HORN.COM

SCALE	AS NOTED	DATE
EXPOSED BY		
DATE		
EXPOSED BY		
DATE		
EXPOSED BY		
DATE		

USE ALTERNATIVES

In consideration of these factors several land use opportunities appear most feasible:

1. A neighborhood shopping center or big box retail located north of Interstate 10 would appear to be well supported by an immediate neighborhood (the area between Lake Jackson and Old Bainbridge Road north of I-10 to Capital Circle intersection) with 1,500 dwelling units and a population of about 4,680. In addition, considerable population lying beyond the existing urban limits would find a shopping center in this location to be more accessible than existing choices. Altogether, the market area contains a minimum of 1,900 dwelling units accommodating a population of about 5,700.
2. Strip commercial uses of individual business sites of the type permitted in C-1, C-2, CP Zones, which is characteristic of the type of development that is well established along North Monroe Street frontage throughout the more urbanized area of Tallahassee.
3. Residential use of the balance of the land. Alternatives, considering the site's accessibility to the thoroughfare system, include a subdivision for duplex and quadraplex rental units, an apartment complex, of larger structures, and single-family attached dwellings (townhouses).

## CONSTRAINTS ON DESIGN

The use of a planned unit development procedure, instead of reliance on zoning to standard classifications, affords a greater measure of participation by design professionals, including members of the Technical Coordinating Committee, in establishing objectives, standards, and design alternatives to insure a greater degree of compatibility with objectives related to the public interest, such as:

- Limiting points of ingress and egress, thus insuring the efficient and safe functioning of the thoroughfare.
  - A proper relationship with adjacent properties.
  - Environmental protection, including runoff controls and preservation of important natural areas.
  - Community aesthetics. Flexibility in use and design alternatives is emphasized in the P.U.D. provisions of the zoning code.
1. Lake Jackson Basin: The property lies within the Lake Jackson Basin, an environmentally sensitive area which requires controls to maintain water quality of the lake. Objectives and means of performance are set forth in the section on storm water management.
  2. Limiting Access: The efficient and safe functioning of North Monroe Street, a multi-lane arterial thoroughfare, should be protected through limitations on the number and placement of points of ingress and egress, use of frontage roads, and other design constraints to limit the points of interference of traffic departing and entering the roadway for interactions with adjacent land use. See the section on the Internal Circulation Plan.
  3. Relationships with Adjacent Property: To the north of subject property lies the Gwynndale Subdivision for single-family homes. A ravine forms a natural barrier between the two areas, and preservation of a natural area/buffer along the northern boundary of subject property would emphasize the separation between areas of different land use characteristics.
  4. Community Aesthetics: Much of the highway frontage of North Monroe Street is characterized by strip commercial development without adequate controls on signs. The P.U.D. procedure affords an opportunity to restrict garishness beyond the sign controls of the standard zoning classifications.

See the sections on Sign Controls, Landscaping Requirements, and Tree Planting Requirements.

## SUMMARY OF THE CONCEPT PLAN

Figure 3 identifies the land use components and site plan for proposed retail development, with diagrammatic plan for internal circulation, points of ingress and egress, natural area preserves, and buffers. Filed under separate cover is a map in more detail, scale 1 inch equals 80 feet, showing areas and approximate dimensions.

Immediately following is a general description of important features. The detailed standards and objectives are set forth beginning on Pages 14-20.

### Component A

Approximately 27.87± acres are proposed for a retail business district, intended to serve primarily as a 200,000 square foot neighborhood service facility including a grocery store, general merchandise, a restaurant, pharmacy, optical, and other uses of the type permitted in a C-1 Neighborhood Business District. (See Page 14 for a detailed list of uses and standards).

### Component B

Approximately 2.08± acres are proposed for commercial uses including restaurants, banks or other uses allowed within the C-1 and CP zoning districts.

### Component C

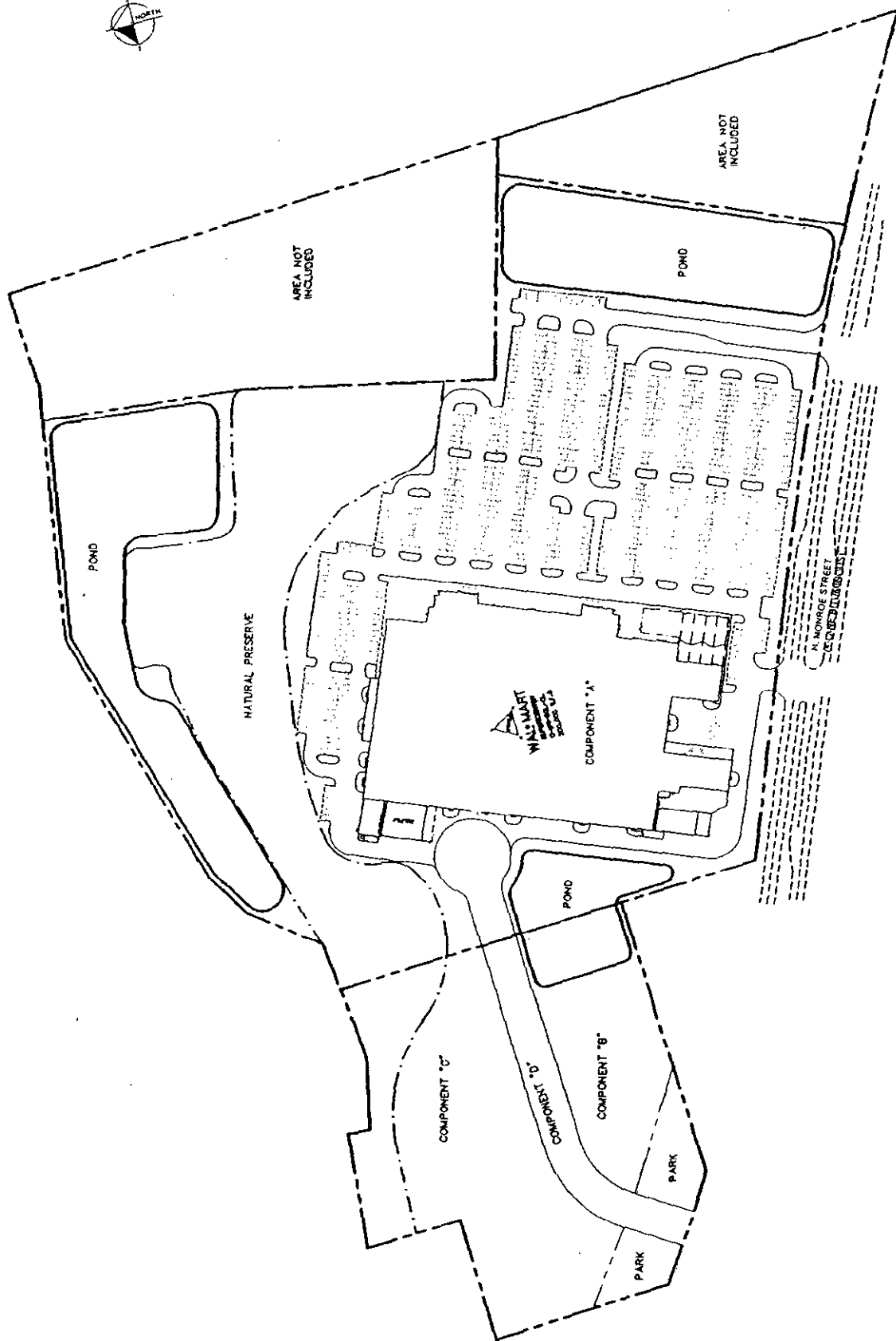
Approximately 4.09± acres are proposed for a low-density residential area, not exceeding 8.1 units per net residential acre, allowing flexibility to meet market demand for duplexes, quadraplexes, single-family attached dwellings and garden apartments. A density of 8.1 units per net residential acre (average), for a total not to exceed 200 units, is proposed.

### Component D

Approximately 1.3± acres are proposed for a dedication as a public street, with a 60 foot right of way, to serve the entire development. Some flexibility in design is requested.

Table A sets forth the Distribution of Land by Components and Use.

FIGURE 3



DATE 10/27/03		PROJECT NO. 04733148.2		WAL-MART, TALLAHASSEE, FLORIDA STORE #94762-00, C-173-SGL-OL, NEW SC 8120 SAM'S DEMO SITE LEON COUNTY, FLORIDA		SHEET NO. 44	
KIMLEY-HORN AND ASSOCIATES, INC. 1000 N. MONROE STREET, SUITE 100 TALLAHASSEE, FLORIDA 32301 (904) 833-1111 WWW.KIMLEY-HORN.COM		PROJECT NO. 04733148.2		WAL-MART, TALLAHASSEE, FLORIDA STORE #94762-00, C-173-SGL-OL, NEW SC 8120 SAM'S DEMO SITE LEON COUNTY, FLORIDA		SHEET NO. 44	
SCALE AS SHOWN		DATE 10/27/03		PROJECT NO. 04733148.2		WAL-MART, TALLAHASSEE, FLORIDA STORE #94762-00, C-173-SGL-OL, NEW SC 8120 SAM'S DEMO SITE LEON COUNTY, FLORIDA	
DESIGNED BY LPS		CHECKED BY LPS		DATE 10/27/03		SHEET NO. 44	
DRAWN BY LPS		CHECKED BY LPS		DATE 10/27/03		SHEET NO. 44	
SCALE AS SHOWN		DATE 10/27/03		PROJECT NO. 04733148.2		WAL-MART, TALLAHASSEE, FLORIDA STORE #94762-00, C-173-SGL-OL, NEW SC 8120 SAM'S DEMO SITE LEON COUNTY, FLORIDA	

**Table A**  
**DISTRIBUTION OF LAND BY COMPONENTS AND USE**

		Acres	% of Total
Component A:	Retail District	27.87	78.86
Component B:	Commercial District	2.08	5.89
Component C:	Residential District	4.09	11.57
Component D:	Public Street R/W	<u>1.30</u>	<u>3.68</u>
	Total Area in Site	35.34	100.0
Buffers		4.00	11.32
Stormwater Management Facilities		5.50	15.56
Parks, Landscaped Setback Areas		1.7	4.81
Natural Area Preserves		<u>5.7</u>	<u>16.13</u>
	Total Open Space	16.90	47.82

### Internal Circulation

Three points of ingress and egress are proposed, to be located where existing breaks in the median of North Monroe Street occur. Commercial properties shall have restricted access with North Monroe Street (U.S. 27) via a marginal access street extended between two of the entrances (A and B).

Most of Component B, the residential district, shall be served by a separate entrance (C), with secondary access provided through the business district.

### Open Space

An extensive open space system is proposed, consisting of approximately 16.90 acres or 47.82± percent of the total site.

The open space system includes an extensive buffer along the northern boundary of the property, adjacent to the Gwynndale Subdivision, a landscaped setback area adjacent to Monroe Street, and a sizeable acreage devoted to natural area preservation, and stormwater management facilities.

Multiple use of some areas is proposed, including hiking trails and other recreational use, and storm water management facilities.

## PLANNED UNIT DEVELOPMENT PROCEDURES

The P.U.D. provisions of the zoning code provide for a two-stage process, with recognition of the need for flexibility:

1. Concept Plan approval. This stage of planning provides objectives and performance standards, along with a diagrammatic land use plan, where some degree of flexibility is allowed to meet changing market conditions and planning requirements based upon more detailed information determined at the design stage.
2. Final Development Plan approval: This stage provides specific design solutions, such as street alignment, storm water management facilities, and plans for off-street parking, building location, landscaping, trees to be protected, etc. After review and recommendation of the Technical Coordinating Committee, the Planning Commission may approve the Final Development Plan upon a finding that it is in compliance with standards, objectives, and commitments set forth in the Concept Plan.

All plans and analysis required for Final Development Plan approval (Section 7.7 of the P.U.D. provisions of the zoning code) may be submitted by stages for each component.

The site conditions map of Component B shall be prepared on a scale not smaller than fifty feet to the inch with a two-foot contour interval based upon a field survey on a one hundred foot grid; said map and survey shall give careful attention to (1) location of abrupt changes in topography establishing the rim or edge of ravines, (2) delineation of areas with slopes exceeding ten percent, and (3) accurate location by type and size of specimen trees and others to be considered for preservation.

Notwithstanding the provisions of paragraph 2 of Section 7:5 of the code, no construction of roads and utility installations shall be permitted until approval of the Final Development Plan appropriate to the location of the road.

Flexibility Procedures for Adjustment

Changes from the Concept Plan, in accordance with provisions cited above for approval to grant flexibility, may be authorized by the Planning Commission, after T.C.C. review of Final Development Plans. Said approval shall be granted only upon a finding that improved design, better environmental protection, and marketability of the property would be accomplished in a manner consistent with the objectives and Standards set forth in the Concept Plan. No changes in use or overall density may be approved except by amendment after public hearing in accordance with procedures for original adoption.

Some degree of flexibility is specifically requested concerning the following features of the Concept Plan:

- (a) Boundaries shown for the "Natural Area Preserve," principally the ravines, are not exactly located on the Concept Plan, but shall be designated on the Final Development Plan in accordance with a field survey. The effect of changes in boundaries will not serve to reduce total open space acreage but to afford better protection of environmental assets and buffering between adjacent land uses of dissimilar characteristics by determining on the ground the best definition of abrupt changes in topography. Such adjustments are intended to prevent any building in or over the ravines, and no construction shall be permitted to disturb the nature of the ravines except where specifically authorized in the Concept Plan, such as pedestrian paths, berets, swales, and other required storm water management facilities.
- (b) In consideration of the need for market flexibility it is requested that the developer be authorized to make adjustments in the boundary and a reduction in area allocated to Component C, the residential district, by adding to Component B, the commercial district. Any such increase in Component B may be developed at a density which meets current concurrency requirements.

STAGING OF DEVELOPMENT

Component A:

It is anticipated that development would begin around 2005.

Component B:

It is anticipated that development would begin around 2005.

Component C:

It is anticipated that development would begin after 2005.

The final development plan filed for each unit or component shall provide a schedule for land clearing that restricts the amount of land that may be exposed at a given time, taking into account percentage of total site area and slopes.

No public or private street right of way shall be cleared prior to submission of final development plans for any component, and road clearing shall be staged to prevent an undue percentage of the total site being exposed to erosion at a given time.

## USES AND STANDARDS PROPOSED BY COMPONENTS

The following uses and standards, in detail, are proposed, and these standards shall govern each component in the design of the Final Development Plan.

### Component A

The general purpose of this district is to provide a restricted business district primarily intended to serve the surrounding neighborhood with retail shopping and business services while maintaining flexibility to market conditions by providing alternative uses for transient lodgings and restaurants related to tourist needs, and business and professional offices. In recognition of the need for design compatible with thoroughfare safety and efficiency and considerations of community aesthetics, the P.U.D. shall restrict access, provide for landscaped setbacks and sign controls.

1. Permitted uses include all retail stores included as a principal use in a C-1 District; big box retail, minor automotive service centers, garden center facilities, retail furniture, appliances, and accessories; mortuaries; veterinarian hospitals in a completely enclosed structure; broadcasting studio, transient lodgings; restaurants and delicatessens, cocktail lounges and bars; indoor amusements, such as billiards, indoor theatres; financial institutions, including drive-in Facilities; business, professional and medical offices and services, including financial, insurance and real estate, offices for sale, lease or rental of business machines and office supplies; personal service establishments, including barber and beauty shops, massage, etc.; laundromats, and dry-cleaning establishments; repair services for several items; such as shoes, TV, radio, business machines, household, etc.; churches and schools; social, fraternal, and recreational clubs and lodges; and customary accessory uses clearly incidental to the foregoing.
2. Restricted uses include: nursery and child-care facilities, provided such are separated from intensive commercial uses and located adjacent to the residential component and sited as a transitional use; advertising signs of uses on the premises, providing such signs conform to the standards and policy prescribed in Paragraph 10 below; bowling alleys providing the building is located not closer than 700 feet from the north property line of the P.U.D. property. No use identified in Paragraph 1 above may use outside storage of environmentally hazardous chemicals (fertilizers, weed control, insecticides and swimming pool chemicals.)
3. Minimum yard requirements: front, 15 feet; side, none except 25 feet on a side of a corner lot; rear, 20 feet.
4. Maximum building height: 35 feet.

5. Off-street parking shall be provided at the minimum standards of the zoning code.
6. Walkways: The Final Development Plan shall delineate a continuous system of walkways built to a minimum width of 42 inches linking all major elements of the district. Exception: free-standing buildings separated by large parking lots need not be connected to major clusters of buildings where parking aisles may function safely for this purpose.
7. Garbage and trash receptacles shall be located where necessary for efficient collection, but wherever feasible shall be sited in such a manner as not to be visually prominent. The Final Development Plan shall specify standards for screens and landscaping to this general purpose.
8. Exterior building materials: Wood, masonry, curtain wall construction or combinations and concrete block. Corrugated metal, except for minor trim, is prohibited.
9. Tree protection and landscaping: Along the highway frontage a landscaping strip is reserved, not less than 15 feet in minimum width, and there shall be planted trees and shrubs to comply with minimum standards of the ordinances on landscaping and tree protection. Said area may also be designed for additional use for storm water retention of the "first 1 1/8" to promote water quality.
10. Sign Controls: Signs shall be limited to those advertising uses of the premises and real estate sale and leasing signs of a temporary nature. All signs shall be set back a minimum of 50 feet from the right of way of Monroe Street and 15 feet from any other public street, excepting one sign not exceeding 400 square feet in area identifying a shopping center, office center, or business district of multiple uses may be permitted within the landscaped setback area not less than 15 feet from the right of way of Monroe Street.

Further sign controls shall be submitted with the Final Development Plan to conform to the Following policy on restricting size, number and garishness of on-site signs:

It is the general purpose to provide one prominent ground sign identifying any business center occupying all or a portion of this component, and signs for individual business establishments shall be restricted in size, design, and placement to conform to an overall design theme for the center.

Out parcels or individual lots in separate ownership may have additional ground signs, providing same are restricted in size in ratio to highway frontage and placement that is subordinate to the major sign identifying the center. No flashing signs and no roof signs are permitted.

Traffic directional signs, as approved by the T.C.C. may be exempted from setback requirements.

11. Storm Water Management: On-site water retention/detention facilities shall be designed to promote water quality and ground water recharge by meeting the current Lake Jackson Protection Zone requirements for water quality and attenuation.

## Component B

The general purpose of this district is to provide a commercial district not exceeding 15,000 SF of building area.

1. Permitted uses include: banks and other financial institutions; community facilities related to the permitted principal uses, including libraries, religious facilities, and police/fire stations. Other community facilities may be allowed in accordance with Section 10-142; day care centers; Laundromats, laundry and dry cleaning pick-up stations; mailing services; medical and dental offices and services, laboratories, and clinics; motor vehicle fuel sales; nonmedical offices and services, including business and government offices and services; passive and active recreational facilities; personal services (barber shops, fitness clubs, etc.); rental and sales of video tapes and games; restaurants, with or without drive-in facilities; retail bakeries; retail drug store; retail florists; retail food and grocery; retail home/garden supply, hardware and nurseries, without outdoor storage or display; retail newsstand, books, greeting cards; retail pet stores; social, fraternal, and recreational clubs and lodges, including assembly halls; studios for photography, music, art, drama, and voice; tailoring; veterinary services, including veterinary hospitals; other uses which, in the opinion of the land use administrator are of a similar and compatible nature to those uses described in this district.
2. Accessory uses: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure and which comprises no more than 33 percent of the floor area or cubic volume of the principal use or structure, as determined by the land use administrator; light infrastructure and/or utility services and facilities necessary to serve permitted uses, as determined by the land use administrator.
3. Minimum yard requirements: Front, 25 feet; rear, 10 feet without any above surface structures such as decks; side, any combination of both sides that equals 15 feet between adjacent buildings, and not less than 15 feet on the street side of a corner lot.
4. Maximum building height: 3 stories. For any building exceeding 35 feet in height for each additional foot of height there should be one additional foot of setback from any adjacent residential district.
5. Off-street parking shall be provided at the minimum standards of the zoning code.

6. Exterior building materials: Wood, masonry, curtain wall construction or combinations. Exposed concrete block, where used, must be combined with not less than 25 percent wood finishes.
7. Tree protection and landscaping: Existing trees, especially in buffers, parks, water management areas, and required open space areas shall be preserved whenever practical. Trees shall be planted wherever existing tree cover is sparse, and in all cases the minimum standards of the tree protection and landscaping ordinances shall apply.
8. Open space and recreational use: A minimum of 20 percent of the net commercial area shall be preserved for open space and recreational facilities with no area credited to this requirement that is less than 12,000 sq.ft. of a useable, compact shape; continuous strips may be credited where they are included in designs for bikeways and hiking/jogging paths. Overflow parking areas required to meet minimum parking standards, as discussed in Paragraph 5 above, may not be credited.
9. Sidewalks: The Final Development Plan shall delineate a continuous system of walkways built to a minimum width of 42 inches linking all major elements of the district. Exception: free-standing buildings separated by large parking lots need not be connected to major clusters of buildings where parking aisles may function safely for this purpose.
10. Garbage and trash receptacles shall be located as necessary for collection, but whenever feasible will be sited in such a manner as not to be visually prominent. The Final Development Plan shall specify standards for screens and landscaping to comply with this general purpose.

### Component C

The general purpose of this district is to provide a low-medium density residential district not exceeding 10 units per net residential acre, encouraging alternative housing types to meet changing market conditions while promoting cluster design technique in order to reserve useable open space of recreational, environmental and aesthetic value including storm water management.

1. Permitted uses include single-family detached; duplexes, triplexes, and quadraplexes; mufti-family apartments not exceeding eight units per structure; single-family attached homes (townhouses) not exceeding eight units per cluster; churches; kindergartens and child-care nurseries; public and private parks, playgrounds, and clubs designed for the use primarily of residents of the development.
2. Accessory uses include coin-operated laundries, recreational buildings, as well as customary uses and structures clearly incidental to one or more of the permitted uses. Recreational and community buildings shall be located not closer than 200 feet to the north property line of the P.U.D.
3. Minimum yard requirements: Front, 15 feet; rear, 15 feet without any above surface structures such as decks; side, any combination of both sides that equals 15 feet between adjacent buildings, and not less than 15 feet on the street side of a corner lot.
4. Maximum building height: A floor area ratio of 1:4 shall control maximum height, with the objective of promoting greater setbacks from environmentally sensitive areas and reducing lot coverage of impervious surfaces. For any building exceeding 35 feet in height for each additional foot of height there should be one additional foot of setback from any adjacent residential district.
5. Off-street parking:
  - a. Not less than 2 spaces per dwelling unit for single-family attached, duplexes, and single-family detached dwellings.
  - b. Not less than 1 space per 100 sq. ft. of assembly area in churches and 1 space par 200 sq.ft. of gross floor area in clubs.

- c. Not less than 1 space per unit in apartments, with an average of 1 space per 500 sq.ft. in gross floor area in an apartment complex; however, the final development plan may provide for not more than 1½ spaces per unit to be paved, with the remainder to be provided in grassed or porous surface areas designed to provide for irregular or peak demand for overflow parking.
6. Exterior building materials: Wood, masonry, curtain wall construction or combinations. Exposed concrete block, where used, must be combined with not less than 25 percent wood finishes.
7. Tree protection and landscaping: Existing trees, especially in buffers, parks, water management areas, and required open space areas shall be preserved whenever practical. Trees shall be planted wherever existing tree cover is sparse, and in all cases the minimum standards of the tree protection and landscaping ordinances shall apply.
8. Open space and recreational use: A minimum of 20 percent of the net residential area shall be preserved for open space and recreational facilities with no area credited to this requirement that is less than 12,000 sq.ft. of a useable, compact shape; continuous strips may be credited where they are included in designs for bikeways and hiking/jogging paths. Overflow parking areas required to meet minimum parking standards, as discussed in Paragraph 5 above, may not be credited.
9. Sidewalks: For areas within this component exceeding a density 5.0 units per net residential acre a continuous system of sidewalks paved to not less than 42 inches in width, shall be developed on one side of the street.
10. Garbage and trash receptacles shall be located as necessary for collection, but whenever feasible will be sited in such a manner as not to be visually prominent. The Final Development Plan shall specify standards for screens and landscaping to comply with this general purpose.
11. Variable Density: Density may vary among the several units of Component B in accordance with the following restrictions:
  - a. The schedule shown on the Concept Plan Map (included herein as Table B) shall govern maximum densities (either for "Net Residential Acre" or "Net Buildable Acre", and these densities may vary within any subcomponent providing the average density does not exceed the maximum established in Table B.

- b. Areas with slopes exceeding 10 percent shall be restricted in coverage of the building lot with impervious surfaces not to exceed 27 percent. The purpose is to restrict density in these areas not to exceed the average or overall density limits established for each of the four subcomponents, as cited in Table B, to promote additional open space and setback from the ravines where building lots abut the ravines, and elsewhere to provide additional open space reservations useable for parks, recreation, storm water management and tree preservation.

It is the intent to encourage cluster techniques in lot design in order to preserve sizeable sites in open space; therefore, no minimum individual lot sizes, widths, and depths nor maximum lot coverages are specified; and each unit of development within this component may be credited with a pro-rata share of common open space in computing net residential acreage.

12. Definitions: The definitions of the zoning code apply, with exception of the following terms:

- a. Net Residential Acre: An acre of land containing 43,560 sq.ft. excluding right of way in public street or equivalent area in a private street (minimum easement of 30 feet assumed) and areas designated for off-street parking requirements; but including all common areas designated for park or recreational use, buffers, natural preservation areas, and storm water management areas. Such common areas so credited may be apportioned amount the several development units in proportion to the area in each when calculating the number of units derived by the density standard authorized for this component.
- b. Net Buildable Acre: An acre of land excluding street right of way or easement and all common open space identified on the Concept Plan. In Final Development Plans additional common area may be designated within any subcomponent and credited for calculation of units per net buildable acre (as well as units per net residential acre.)
- c. Building Lot: A parcel of land of sufficient size to comply with standards for lot area, yard, off-street. parking, percentage of impervious surface calculations, and floor area ratio requirements. Except for area required to maintain minimum yard setback requirements a portion of each building lot may be designated by easement or dedication as common area as an addition to common area committed in the Concept Plan.
- d. Impervious surfaces: A surface having no significant water absorption qualities, such as roofs and pavement in driveways, parking lots, sidewalks, and streets. However, for the purpose of promoting storm water retention and water quality treatment, porous parking, driveway, and sidewalk surfaces shall not be counted as impervious surfaces when combined with on-site storm water percolation devices that will retain and treat the-runoff falling on said surfaces.

## THE OPEN SPACE PLAN

Some 16.9 acres (approximately 47.82± percent of the total area) shall be preserved in common open space for buffers, storm water management areas, and parks. Additional, smaller open space areas may be provided within development units of each Component.

### Buffers

Along the northern boundary of the property in area adjacent to Gwynndale Subdivision, a buffer not less than 70 feet in width shall be preserved in a natural state; much of this area is contained within a ravine. This buffer shall not be used for holding ponds, but other storm water detention devices, such as swales and berets are permitted. Existing trees are to be protected within the buffer.

A buffer of 10 to 20 feet, as shown in the Concept Plan Map, shall be established to separate the residential properties of Component C from the commercial uses of Component A.

### Parks, Natural Area Preserve

Within the 5.7 acres designated for a Natural Area Preserve, park and recreational sites map be established.. An entrance park, consisting of about 0.6 acre shall be established at the major entrance from Monroe Street into Component B.

A landscaped setback area not less than 15 feet shall be maintained along the Monroe Street frontage of Component A.

## PLAN FOR UTILITIES

Sanitary sewers and water supply will be extended to the property. City facilities are available near the property:

Sanitary Sewers: A 3" sanitary service is provided to the existing Sam's Club which will be extended to serve the remainder of the development. A pumping station may be required on the property.

Water: The nearest water main, an eight-inch line, is located along the north side of Monroe Street and will be extended to the site.

## STORM WATER MANAGEMENT

The property is located within the Lake Jackson Drainage Basin, an environmentally sensitive area that is the focus of state and local policy for maintenance of water quality. In recognition of the public interest in preserving this recreational resource, the following objectives are set forth with the intent of exceeding existing standards of local government runoff control ordinances.

Objective 1: To provide adequate siltation control devices to retain storm water equivalent of 25 year storm of critical duration, allowing the metering out of water after major sediments have been dropped on site.

Means of accomplishing this objective include commitment to comply with all standards of the existing runoff control ordinance (Ord. 73-10) and to provide an extensive storm water management area, where vegetation is left in its natural state for slowing down the flow of water, allowing silts to be dropped.

Objective 2: To provide point source controls to insure a higher standard of water quality than is permissible under prevailing development practices as constrained by existing ordinances.

### Determination of Performance

When Final Development Plans are submitted for approval, the T.C.C. with advice of the Department of Environmental Services, shall review plans for specific solutions and recommend approval/denial to the Planning Commission based upon these findings and a determination of adequate performance in promoting the objectives cited above in balance with protection of environmentally sensitive areas and features, such as ravines and the lake.

### Means of Performance

The means of performance cited above are intended to represent examples based upon existing ordinances and practices believed to be effective. Flexibility is requested where other techniques may, in the future, be tested to insure comparable or improved levels of performance.

The state-of-the-art of storm water management is increasing constantly. We are, therefore, reluctant to outline specific measures considered for this project. Following are listed measures being considered, but flexibility is requested to change, with County approval, if more effective techniques become available.

Construction draining into environmentally sensitive areas require special attention. These areas include both the intermediate drainage system (ravines and lake on site) and the ultimate destination (Lake Jackson). A master storm water management system will be designed and constructed as part of the component "A" development.

General

Design of buffers and use of landscaped areas within each component shall consider the use of grassed swales and berets to slow or retain runoff from paved surfaces, allowing for filtering of nutrients and oil pollutants. Where slopes exceed five percent, stabilized water passages to water detention facilities will be used to prevent erosion.

Stabilized water control devices shall be constructed to prevent untreated water from flowing from areas altered by construction directly into the ravine. Said devices shall provide for flow through required detention facilities, then via stabilized passages to the streams, beds.

## **INTERNAL CIRCULATION PLAN**

Three points of ingress and egress are proposed, which are intended to be located where existing breaks in the median of North Monroe Street occur.

The retail district (Component A) shall be served mainly by the middle access point, entrance B, with secondary access at entrance A. A landscaped setback strip of 15 feet will be established across the frontage, adjacent to the right of way of Monroe Street (on private property).

The residential district (Component C) shall be served mainly by a public street, with entrance C, on a right of way of 60-foot and a 24-foot roadway without on-street parking. Secondary access is provided through the retail district (Component A).

The commercial district (Component C) shall be served mainly by a public street, with entrance C, on a right of way of 60-foot and a 24-foot roadway without on-street parking. Secondary access is provided through the retail district (Component A).

Access to Monroe Street will be limited to one right-in, right-out entrance with internal lot interconnection provided for each outparcel.

Three stubs for access to other land use areas are proposed for consideration in Final Development Plans:

- a. Access to adjacent property on the eastern side, particularly the property fronting on Monroe Street.
- b. Access into Component A on both the eastern and western sides for convenience of residents to get to shopping facilities without necessity of entering Monroe Street.
- c. Connection with Laris Drive, using a pedestrian/bicycle path for convenience of residents of the adjacent Gwynndale Subdivision.